

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

MAVERICK RECORDING COMPANY, a California
joint venture; ATLANTIC RECORDING CORPORATION,
a Delaware corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general partnership;
ARISTA RECORDS LLC, a Delaware limited liability
company; CAPITOL RECORDS, INC., a Delaware
corporation; and UMG RECORDINGS, INC., a
Delaware corporation

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:05CV451-WHB-AGN

CHARLOTTE LOVE

DEFENDANT

OPINION AND ORDER

This cause is before the Court on Plaintiffs' Motion for Default Judgment. Defendant Love failed to respond to the Motion.

This case involves claims of copyright infringement against Love. The infringed upon copyrights covered numerous music recordings. The subject suit was filed on July 22, 2005. Plaintiffs seek money damages allowed by statute, as well as injunctive relief barring Love from further copyright infringement. Love failed to file an Answer to the Complaint, or otherwise appear in this case in any manner. Therefore, pursuant to the Motion for Clerk's Entry of Default filed by Plaintiffs, an Entry of Default was properly filed on February 16, 2006, under docket entry no. 9. The subject Motion for Default Judgment was filed with the Clerk of

the Court on June 23, 2006, under docket entry no. 11. That Motion is now ripe for consideration.

Federal Rule of Civil Procedure 55(b)(2) permits the entry of a default judgment against a defendant who fails to respond to the complaint within the time period set forth in the Rules of Civil Procedure. Plaintiffs have submitted proof that Defendant Love was properly served with process. Love has not responded to the Complaint or taken any action whatsoever to defend this case. Therefore, the Court finds that the Motion for Entry of Default Judgment is well taken and should be granted.

Plaintiffs have submitted to the Court proper proof of damages totaling \$6,000.00 and proper proof of their costs of litigation totaling \$285.00. Therefore, these amounts will be awarded to Plaintiffs without the need for an evidentiary hearing. Plaintiffs also submitted proposed language by which their injunctive relief can be satisfied. The Court finds that said language is acceptable, and it will be included verbatim in the Final Declaratory Judgment.

Based on the holdings presented above:

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Entry of Default Judgment (docket entry no. 11) is hereby granted. A Final Declaratory Judgment will be entered which states the monetary damage award to Plaintiffs, which sets forth the declarations of the Court, and which dismisses this cause with prejudice.

SO ORDERED this the 14th day of August, 2006.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

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